

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEITH DAVIS,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 19-CV-2905
	:	
THE CITY OF PHILADELPHIA, <i>et al.</i>,	:	
Defendants.	:	

ORDER

AND NOW, this 17th day of October, 2019, upon consideration of Plaintiff Keith Davis's filing titled "Plaintiff's Response to the Order of U.S. District Judge Jeffrey L. Schmehl August 27, 2019 is Void" (ECF No. 8), which the Court has construed as a motion and Second Amended Complaint it is **ORDERED** that:

1. The motion is **DENIED** for the reasons discussed in the Court's Memorandum.
2. The Second Amended Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.
3. Davis's request for counsel is **DENIED**.
4. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.